



MEETING OF THE PORT PHILLIP CITY COUNCIL

MINUTES

16 FEBRUARY 2022



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**MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL
HELD 16 FEBRUARY 2022 IN ST KILDA TOWN HALL**

The meeting opened at 6:30pm.

PRESENT

Cr Pearl (Chairperson), Cr Baxter, Cr Bond, Cr Clark, Cr Copsey, Cr Crawford, Cr Cunsolo, Cr Martin, Cr Sirakoff.

IN ATTENDANCE

Peter Smith, Chief Executive Officer, Tony Keenan, General Manager Community Wellbeing and Inclusion, Chris Carroll, General Manager Customer Operations and Infrastructure, Kylie Bennetts, General Manager City Growth and Development, Claire Stevens, General Manager Governance and Organisational Capability, Brian Tee, Executive Manager City Planning and Sustainability, Peter Liu, Acting Chief Financial Officer, Tarnya McKenzie, Chief Customer Officer, Kirsty Pearce, Head of Governance, Emily Williams, Governance Officer, Liam O'Cathasaigh, Governance Officer.

The City of Port Phillip respectfully acknowledges the Traditional Owners of this land. We pay our respect to their Elders, both past and present. We acknowledge and uphold their continuing relationship to this land.

1. APOLOGIES

Nil.

2. CONFIRMATION OF MINUTES

MOVED Crs Pearl/Baxter

That the minutes of the Meeting of the Port Phillip City Council held on 2 February 2022 be confirmed.

A vote was taken and the MOTION was CARRIED unanimously.

3. DECLARATIONS OF CONFLICTS OF INTEREST

During Councillor Question Time, Councillor Pearl identified an interest in a question raised on public art murals in South Melbourne.



4. PUBLIC QUESTION TIME AND SUBMISSIONS

Public questions are summarised below. The submissions were made verbally and can be listened to in full on our website: <http://webcast.portphillip.vic.gov.au/archive.php>

- **Vivian Ness:** Will the council ignore the harping of people who do not represent the rate payers of Port Phillip and if necessary increase the rates so we can continue to enjoy the facilities provided by our council?

Peter Liu, Acting Chief Financial Officer advised that officers value feedback from all our community members. Rates revenue is a key funding source for community services and used to upkeep our \$3.2b of community infrastructure. Our 10-year financial outlook assumes rate increases linking to the rates cap. Despite this, the outlook projects a funding deficit up to \$103m, we will try to address this gap with efficiency savings and reviewing our service delivery and priorities. Inflation for the first six months of 21/22 was 1.9% and if that trend continues, the full year projection would be 3.8%. This is certainly much greater than the rates cap of 1.75% announced by Minister for Local Government for 2022/23. This will place further financial pressure on Council's finite financial resources. We also may have to invest more in the local economy and social support in a post COVID normal. In December Council agreed to engage on the introduction of new waste services such as food, garden, and glass recycling which will increase our cost base. We also propose to change our rating system from net annual value to capital improved value, differential rating, and a flat waste charge separated from general rates. The benefit of this is to enable council to address major valuation shifts which may cause unfair rates distribution to certain properties class and fund the new waste services. If council agrees, we will factor this into budget 2022/23. We are in the middle of developing the draft budget 22/23 and certainly one of the key considerations is the amount rates revenue that is needed. No decision has been made on the rates increase for 22/23 as we are still early in the process. Naturally, we will always try to balance Council's financial sustainability and community affordability. We value and welcome your feedback on the draft budget when it will be released in April.

- **Rachael Scotland:** Elwood Children's Centre has run at capacity for several years. This year, we are struggling to fill places, especially in our 3 and 4-year-old programs, as new families are not applying, and an increasing number of existing families have decided to leave the centre to relocate their children to other nearby centres that are not the subject of this proposal. Should this trend continue, the financial impact to the centre will be significant and sustained and will result in job losses and other cost-cutting measures. When Council officers advised the committee of the intention to sell the property in late November 2021, they acknowledged that this would be a likely side effect and promised to support the centre during this time. To date, there has been no support provided, and no detail on what this support may be. How and when will the council be providing support to Elwood Children's Centre?

Tony Keenan, General Manager Community Wellbeing and Inclusion advised that no decision has been made by Council on the three centres yet, Council is still consulting. Generally, most childcare centres across Port Phillip, certainly the Council ones are seeing a drop in enrollments this year compared to previous years, we think this is to do with COVID and people coming back from COVID. Certainly our enrollments are down but officers did say that Council would discuss with the centres what support there would be available if a decision is made to sell and close them. This is one of things that Council officers will be

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consulting with Centres with over the coming weeks, if this decision is taken to sell the centres.

- **Dan Mackay:** Did anyone from Council ever explicitly ask the State Government prior to 1 December 2021 whether funding would be available to upgrade any of the three centres council are currently proposing to sell? If no, why? Further, I understand the VSBA has indicated that an amount of money will be available per centre for upgrades. What is this amount?

Tony Keenan, General Manager Community Wellbeing and Inclusion, advised that Council officers worked with the Department of Education staff from the South East Victorian region from late October 2020 to April 2021 to develop the Kindergarten Infrastructure Services Plan (KISP) during this time there were a number of discussions held regarding funding available. Officers then met with the VSBA in relation to funding that was available, no funding for any of these Centres were applied for because the requirement for the funding at that time was that the buildings would have to be completed within 18 months and opened. No proposal on any childcare centres had been taken to Council at that stage so that would have been an impossible timeline to meet. Council officers have met with staff from the VSBA and held general discussions around funding that might be available, there are no specific amounts mentioned but they referred us to the Building Block Guidelines as a guide, there is some flexibility around that and Council officers will continue to work with the VSBA staff around this.

- **Nick Smith:** Why has the council only re-invested 57% of the money paid to them for the sole purpose of maintenance and infrastructure support, since 2014?

Joanne McNeill, Executive Manager Property and Assets advised that the levy is used to undertake work as required to all of the Childcare centres, routine maintenance as well as reactive and renewal maintenance is covered within this. The maintenance occurs as required both planned and reactive so expenditure does go up and down each year. The renewal of assets is always lumpy, in that over time there are periods where particularly for buildings there are different elements of the building requiring renewal at any given time. For instance, the roof might need replacing in 15-20 years so funds are then accumulated each year and spent as needed on different parts of the buildings. There might be a large sum spent on a particular building in one year, then nothing for a couple of years, so it's not unusual that not all the funds accumulated have been spent. It also means that the money goes where it's needed in any particular year to a given Centre. Unfortunately with the three centres that Council is currently consulting on the work that is required to address the condition issues can't be undertaken without triggering a whole building upgrade to bring it to current building standards. And that means that we haven't been able to undertake the renewal that is required for parts of the building that have reached the end of their useful asset life as part of the normal renewal program that is undertaken every year across the Council's building portfolio and for other assets. This is an unusual situation where it's a complex solution that is requiring a clear direction from Council to proceed, rather than it just being built into the normal renewal program and those funds being expended.

Chris Carroll, General Manager Customer, Operations and Infrastructure added that the levies are held in reserve and not used for any other purpose. Usually the expenditure on the asset renewal is back ended so usually you see the expenditure happening at the end of the life of an asset which is the stage we are reaching with these facilities. Hence the need for a decision on what to do and that's the process we're working on at the moment.

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- **Simon James:** Firstly, in light of the significant changes to the basis for the original proposal, along with the uncertainty and angst the proposal has caused for the community and these centres, why are council and council officers pursuing this proposal rather than withdrawing the proposal until diligent consideration of changed assumptions has taken place and adequate consultation with the key stakeholders? Secondly, given Council continues to letter drop about their 'intent to sell' (and we note it isn't pitched as a 'proposal to sell'), will Council adequately communicate to the community researching the proposal that assumptions and claims made in that proposal have now been proven incorrect so as to avoid continuing to spread false information about the sale?

Tony Keenan, General Manager Community Wellbeing and Inclusion, advised that it is correct that we have commissioned further modeling to look at the later years and there is some difference between the modelling conducted by the State Government and the Kindergarten Infrastructure and Services Plan (KISP). However the longer out from the data, the less reliable it is. Both of those show that there was a small shortage of places towards 2028-29, so it's not correct to say that one showed there was no surplus, no shortage and another showed a shortage - both showed a shortage. We are working through the implications of the new modelling. Council is out consulting with the community now, Have Your Say is still open, we are making sure that we are getting feedback from the community, having a number of meetings with the committees of management of the Centres. Officers have no authority to withdraw a proposal. Also, there will be an online briefing on Friday 18 February should people wish to avail themselves of that. Commencing 1pm, further details of this session can be found on Council's website.

Chris Carroll, General Manager Customer, Operations and Infrastructure, advised that the intent to sell process relates to a legislative definition of consultation requirements when we sell property. It talks about Council's intent to sell, which is essentially Council beginning a consultation process on proposals to sell. No decision has been made on selling these properties, we are engaging with the community now, consulting with them about that potential outcome, as we are required to do under legislation when we are considering these kind of things. The important bit to note is that all of our 'Have your say' material and the Council reports that support the decision to go into this process are really clear about what this process is and isn't doing. Through these processes we always get access to new information, and that was the intent to go out to community consultation. We're doing further engagement with the centres, responses to information requests, further questions are leading to further analysis including updating our supply and demand analysis. All of those things will go into the overall assessment and information that goes back to Councillors to make a decision. We are continuing to do due diligence as we have done over the last five years with these centres as part of this process. We will continue to take on board the feedback and respond to new information to ensure that Councillors and the community have all that available when they make their decisions. The updated supply and demand modelling is available on the Have Your Say site. As we get more information we are making it publicly accessible as quickly as we can. If you do have a look at the Have Your Say page, you will see there is a mountain of information being provided there and we are being as transparent as we can. As we go through this process we will keep an open mind and provide Councillors with recommendations based on additional analysis made throughout this process.

- **Ciaran Wilcox:** Can Council please provide the full list of recommendations and/or works completed as part of the 2008 Building Condition Audit for the Elwood Childrens Centre?

Joanne McNeill, Executive Manager Property and Assets took the question on notice.

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- **Sophie Hine:** Given the cost per place for the North St Kilda redevelopment is more than eight times the cost per place for a renovation of the Avenue, can Council please explain how this is value for money?

Chris Carroll, General Manager Customer Operations and Infrastructure, advised that the comparison is not comparing like for like. The North St Kilda Childcare redevelopment is not just about expansion of up to 44 places but it's about renewal of an existing facility which has around 60-70 places, so that's actually about an expansion as well as a renewal of existing places. That site is one that is fit for purpose for the future. Development there meets requirements under the Children's Policy - infrastructure for the future policy direction, and provides a modern fully fit, future ready, accessible and safe facility. I am not sure where the million dollar figure for The Avenue childcare facility refurbishment comes from, and I also note that that doesn't provide any additional places but would just be for the existing places and so comparing that to North St Kilda is not a valid comparison. It is a valid comparison to talk about value for money of these potential centres into the future, but there are some major issues around the sites themselves, the condition of the building and what we can achieve on those sites. We are doing additional work at the moment around looking at what the costs of upgrading those facilities would be and what additional funding options there may be, and Council will continue to consider that and make a value for money decision on the options when it considers this for final decision making in the coming months.

- **Caroline Thornton:** Given the lack of imminent risk and the fact that all viable options to selling the property are yet to be rigorously explored and considered by council, can council confirm if it will consider extending the timeline on the proposed date of sale of 17 Eildon Road, St Kilda, and if so, what would council see as an appropriate revised date?

Tony Keenan, General Manager Community Wellbeing and Inclusion advised that we are still consulting and the times are going longer, this may mean that Council will need to reconsider the timelines. I think it will be likely that officers recommend that Council considers timelines be pushed back.

- **Simon Rashleigh:** for Eildon Road Childcare and Kindergarten. How is it possible that reports identifying risk to our children has been uploaded as a supporting document for a property sale and has not been shared directly to our Centre? The substantive matters, like inadequate storage or loose roof tiles seem relatively simple to fix. How can Council let such a human safety issue go unattended? Why aren't our centre and council in urgent discussions about how to rectify this fire risk? Why aren't the recommendations of this report being actioned today? Having determined to sell the building, has Council decided to abandon its responsibilities as landlord and no longer attend to the most basic and urgent maintenance matters?

Joanne McNeill, Executive Manager Property and Assets, advised that Council undertake risk assessments and building assessments routinely across our portfolio and in the normal scheme of things we would share that information not through a consultation but directly with the tenant if it was relevant, and in this case of course it would be. However we are in the midst of a consultation and we've been requested to make all information publicly available and we are endeavoring to do that which is why that information has been made publicly available to everybody including the specific centre. Everything that is identified in that report

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will be addressed. Some things can't be addressed however for that building and that is why we are consulting on the future of that building. So anything that can be addressed, will be. However, there are larger issues at play with that building and we know that works to address condition and other compliance issues trigger a full upgrade of the building which is why a clear decision about the future of this building is required. But I would just like to reiterate that any action that can be taken to address the issues that have been identified in this most recent assessment will be undertaken and further engagement on those actions will be undertaken with the centre.

- **Michael Sabada:** In relation to Public Consultation, last week I participated in a consultation on the draft Nature Strip Guidelines, which had been proposed to be an outdoor on site consultation but was switched to a Teams meeting with the public only able to submit anonymously questions which were screened by the officers. This near one-way form of information flow, is an inferior form of public consultation, was justified due to the Omicron variant Covid-19 outbreak. Considering how the City of Port Phillip actively encourages the public to meet, especially outdoors, whether drinking, dining, or the St Kilda Festival, how does CoPP justify one standard for the public and another for its staff? When or under what conditions, based on Victorian CHO advice, will the CoPP engage in face to face public consultations? If no date or objective condition is to be set by CoPP for face to face public consultations, why does the CoPP not use the features of Teams (or other meeting software) to enable greater public participation in its consultations?

Claire Stevens, General Manager Governance and Organisational Capability advised that the online format was not Council's preferred way to consult with the community, and originally an in-person format was prepared. However due to the impacts of COVID and the ongoing risk to health and safety to staff and the community the sessions were moved online. Council has a duty of care and legislated responsibilities to ensure its staff are safe within a work context, and the impacts of COVID at this time meant that the decision was made not to progress with in-person consultation. The engagement team is currently working with our IT department to explore how they can make consultation more interactive. City of Port Phillip follows the CHO's advice, along with undertaking our own risk assessments to ensure our programs can be delivered safely. The current Government recommendation is that people continue to work from home where possible, so while it is wonderful that we have greatly eased restrictions, virtual consultation enables officers and others to work from home where possible. The Engagement team is currently working with our IT department to move from TEAMS Events – which is designed for one to many communications, with the host of the event leading the interactions and audience participation, to TEAMS to enable greater external interactions.

- **Michael Sabada:** In relation to "My Port Phillip" Is the council aware of residents dissatisfaction with the experience of using the "My Port Phillip" web based system? I suggest each Councillor attempt to apply for a parking permit to consider is this a usable system for everyone in Port Phillip, especial those over 60 years of age, whose first language is other than English, or might have other access issues including not owning a computer? For Parking Permit applications, My Port Phillip, has proven difficult to use, necessitating a visit in person to Assist for many people. What plans are in place to improve Access to Assist, as there is now no council office in South Melbourne and in Port Melbourne it is only two days a week?

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Tarnya McKenzie, Chief Customer Officer, advised that My Port Phillip is only one aspect of a broader Customer Experience improvement program. My Port Phillip has expanded our online services and has made it easier for the community to lodge a broad range of service requests, feedback and complaints as well as expanding the availability of online service for more complex applications, many that were previously only paper based. We have received both positive feedback and feedback identifying specific difficulties being experienced using some parts of the system.

We acknowledge and are aware of the difficulties that some customers have experienced completing Parking Permits on My Port Phillip. Since August over 12,000 Parking permits have been completed with about 50% of those being successfully completed by the community online and 50% processed at our Service Counters or with support from staff over the phone. Our ASSIST and Parking Permit teams are actively processing and issuing permits to Customers via the Counter Service or supporting them to move through online applications over the phone.

We are currently planning a briefing with Councillors to test several potential policy and process change ideas to improve the customer experience associated with parking permits. We are working through these as quickly as we can and need to make sure that the system can accommodate the changes, that the changes don't have unintended consequences and also discuss with Council's internal auditors given potential change to some controls.

More broadly we are exploring the use of google translate across our websites to support those whose first language is other than English and translation services are always available through our telephone and counter service. South Melbourne Town Hall is closed due to construction, and we are reviewing opportunities for Counter Service in the area. Counter Service at Port Melbourne Town Hall is operating 3 days a week with expanded hours of 9am-4pm and we will continue to monitor and respond to demand.

Lastly I would like to say, if members of the community are experiencing difficulties, officers would encourage them to reach out either by telephone or attend a counter Service outlet and staff would be pleased to support members of the community.

- **Adrian Jackson:** Why is Council promoting the use of E-scooters at ratepayer's expense? These e-vehicles should use the road not the footpath so why doesn't Council fix this with the state government and local laws? A photo posted to the Council website on 8 February 2022 shows the Port Melbourne bike corridor next to a road appears to have used up the grass nature strip - Why is Council removing grass to replace it with hard standing which is environmentally unhelpful?

Brian Tee, Executive Manager City Planning and Sustainability advised that Council's Move Connect Live integrated transport strategy recognises that a well regulated shared transport service, including e-scooters, may offer an alternative, sustainable and affordable transport option. During the last few years we have seen an increase in the use of privately owned e-scooters in Melbourne and there have been concerns about many of them not complying with road safety rules and not being safe. Council is involved in the e-scooter trial to ensure the trial is well regulated and is safe for e-scooter users and others. The trial prohibits riding on footpaths and limits the speed of e-scooters to 20kms per hour. E-scooters can be ridden on shared paths, bike paths and roads where there is a speed limit of 50kms or less. Victoria Police are responsible for enforcing the road rules that apply to the trial, but Council officers are working closely with the State Government to monitor parking and amenity issues including the location and the numbers of e-scooters deployed. More information can be



found on the Council's webpage. In relation to the expense to ratepayers, Council has passed a resolution that requires that any agreement entered into as part of the trial includes the cost to Council, Council's administration, compliance and evaluation activities, need to all be covered as part of that agreement.

In relation to the use of the nature strip to locate the Port Melbourne bike corridor, sections of that nature strip on Beacon Road have been removed to provide for the new two way bike path. In doing so, Council had to consider the best use of that open space including the merits of providing the bike path which has the advantage of encouraging people to walk and ride.

- **Leonie Millar:** Renovations of old buildings occur on a daily basis in the City of Port Phillip. Buildings that would be at the 'end of their life' are revived by such renovations. Given this, why have council not commissioned draft plans for renovating the existing building within which the Avenue Childcare operates in order to make it compliant with access legislation and had the renovation costs assessed by a quantity surveyor?

Joanne McNeill, Executive Manager Property and Assets, advised that Council has been working on options to restore the three centres that are currently being consulted on since 2016 when the extent of the issues associated with undertaking works to the buildings was identified and were communicated to the centres at that time. Since then, Council has commissioned a number of pieces of work including design plans to work through what can be done to address those condition and compliance issues. Information has been made available on the Have Your Say page. What the work has identified though is that there is a significant cost associated with addressing the condition, accessibility and compliance issues that won't actually address functionality or all of the accessibility issues for the sites and won't result in any more places being made available. This is why a clear direction on the future of those buildings is required given that it's not just a straight forward renewal of the asset which would normally be undertaken.

- **Laura Hill & Andrew Hoare:** Council has publicly provided information on indicative costings based on a 2016 scheme that involves significant redevelopment of The Avenue. Why hasn't council provided plans and indicative costings to at a base level upgrade of The Avenue to meet DDA requirements? Why is council pursuing more expensive options in the first instance?

Joanne McNeill, Executive Manager Property and Assets, advised that Council has looked at the minimum required to address condition and compliance issues including accessibility and we know what the scale of work required will trigger full compliance with the current building code and will have to include the works that need to be done to bring it up to current standard. That means then that it's not just the work that we know needs to be done but other work as well and that is what we have explored. We certainly aren't looking at doing additional work that is not required or triggered by building code or other permits.

Item 13.2 Financial Update: Second Quarter 2021-22 Financial Review

- Brodie Mitchell

Item 14.1 Notice of Motion – Councillor Andrew Bond – Adventure Playgrounds

- Adrian Jackson



5. COUNCILLOR QUESTION TIME

Councillor Clark: Given we advocated so strongly for the e-scooter trial, my observations in the last couple of weeks have been at least one in three people are not wearing a helmet. I've seen multiple people riding two on a scooter, one with a helmet and one without, sometimes an adult and a child. I've seen people going pretty fast down the footpaths, and we've seen some very public altercations on St Kilda Road and various other incidents that are all quite unpleasant. Do we have any responsibility or any work that we're doing with the police or is it solely the police's responsibility to police the safety requirements? That would be quite a significant increase on police resources to be reviewing all of the breaches that I've seen just in the last couple of weeks.

Peter Smith, Chief Executive Officer advised that under the e-scooter trial agreement a complaints hotline is required to be administered by the operator. Each e-scooter is fitted with a GPS tracker which allows them to follow up with the user when a complaint is received. It is our understanding that a number of the incidents reported have been linked to private scooters, however we are continuing to monitor and evaluate the safety concerns associated with the e-scooter trial. There is regular contact between the operator and the three Councils participating in the trial, and Council will forward any public feedback or complaints onto the operator.

Councillor Pearl further advised that the aspect of the question relating to Council liability or safety obligations would be taken on notice. Legal advice has been received and a detailed response will be provided to Councillors.

Councillor Clark: In relation to the barefoot cinema, can Council officers advise what consultation was undertaken with residents and whether they were made aware that Council was going to be putting a cinema in the Botanical Gardens?

Kylie Bennetts, General Manager City Growth and Development took the question on notice.

Councillor Clark: I received my rates notice a couple of days ago which only allows two weeks' notice to make payment of the first instalment. Can a Council officer please advise if this is the usual timeframe to receive notices or if there was a delay with the process?

Chris Carroll, General Manager Customer, Operations and Infrastructure took the question on notice to supply the timelines. In addition, Mr Carroll advised that the original rates notice is provided at the start of the financial year, and progressive reminders are sent periodically for those on instalments. Whilst 14 days is the legislated minimum for rate notices to be issued, however Council does aim to provide a longer notice period where possible. Mr Carroll further stated that other improvements are being considered as part of the customer experience program such as text reminders which we will be looking to enable as part of next year's rating process.

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Councillor Pearl: Can Council officers please provide Councillors with an update on what Council is doing to monitor and measure traffic movements in and around Cowderoy Street? In particular, are there any initiatives being considered to improve safety and traffic flow in this area especially at peak times, noting the previous petitions considered by Council on this matter in recent years.

Brian Tee, Executive Manager City Planning and Sustainability advised that the traffic at Cowderoy Street is an ongoing issue that Council has been aware of for some time. We have considered options including changes to signalization which would effectively ban the right turn. The difficulty is that this could create access issues particularly for the local schools, so Council will continue to work with VicRoads to explore options. Further information can be provided to Councillors as the matter progresses.

Councillor Sirakoff: Further to Councillor Clark's question on e-scooters and the CEO's response regarding a hotline, is it possible for Council to publish details on the website about how to report their feedback on the e-scooter trial, whether positive or negative, including contact details for the trial's operator?

Peter Smith, Chief Executive Officer took the question on notice.

Councillor Pearl stated that there is a police element to the e-scooter trial and police have issued a number of enforcement fines in the first week. The advantage of these operations is that all you need is a time and location and the trial operator has the ability to locate the e-scooter when a complaint is received.

Councillor Bond: This question is on behalf of a constituent who is unable to attend the meeting tonight. The constituent was recently traveling to a medical appointment and went through St Kilda Junction and thought all the new art work under the tunnels was fantastic. She has asked me to follow up on another mural at her local tram stop at South Melbourne near the South Melbourne Market which she said is looking old, dated and covered in graffiti. She was wondering if it would be possible to find out who was responsible for that particular mural near the South Melbourne Market tram stop, and if Council is the responsible authority for its maintenance, could it be put on the program of works for the mural to be repainted, updated or cleaned?

Chris Carroll, General Manager Customer, Operations and Infrastructure took the question on notice. Mr Carroll thanked the constituent for the feedback and stated that there is a range of other works planned for that area.



Councillor Pearl: Can Council officers please provide an update to Councillors on developments to remove community gardens in Port Melbourne based on safety concerns, specifically at the Fishermans Bend Community Centre? What arrangements are being made to support the gardeners, and can you provide further background?

Tony Keenan, General Manager Community Wellbeing and Inclusion advised that the removal of community gardens at this location was a decision of the Committee of Management who are responsible for running the gardens. The Committee felt it was too difficult to run the two sites and I understand they are liaising with gardeners as spaces become available at the other site.

Councillor Pearl further asked if there were any concerns raised by Council regarding contaminated soil or other contaminated items in the gardens?

Mr Keenan took this aspect of the question on notice.

Councillor Pearl: Can officers please provide an update on the maintenance and condition of the Port Melbourne Baseball Club pitch, and plans to rectify the surface or undertake any maintenance of the surface? And, are there any plans in place to manage that surface in the short and long term?

Dana Pritchard, Manager Open Space, Recreation and Community Resilience, advised that a turf consultant has been appointed who has undertaken a site visit to inspect the baseball pitches. The consultant's report has identified that there is some damage to the field particularly around the bases, however it has not been recommended that the grounds should be shut down. In the short term, the consultant has recommended that we continue with the maintenance program that is currently in place. Ms Pritchard further advised that the next step is to investigate some works to reconstruct the surfaces around the bases which could happen in the short term. Longer term, we are looking at options to rebuild the field, including consideration of synthetic and other surfaces. These longer term works are currently proposed in the budgets over the next couple of financial years and will come through Council for a decision.

6. SEALING SCHEDULE

Nil.

7. PETITIONS AND JOINT LETTERS

Nil.



8. PRESENTATION OF CEO REPORT

8.1 Presentation of CEO Report – Issue 82

Purpose

- 1.1 To provide Council with a regular update from the Chief Executive Officer regarding Council's activities and performance.

MOVED Crs Martin/Baxter

That Council:

- 3.1 Notes the CEO Report Issue 82 (provided as Attachment 1) including changes to budget forecasts and project portfolio identified in December 2021.

AMENDMENT

That the following parts be added to the recommendation:

MOVED Crs Crawford/Cunsolo

- 3.2 Notes the update within the CEO report (page 5) on consultation occurring with the community on the proposed sale of three childcare centres and discussions being held with the State and Federal Governments to consider any viable options to sale.
- 3.3 Notes the verbal advice from officers that the consultation has been extended and that more time is required to conclude discussions with the State Government and consider alternative viable options to sale.
- 3.4 Requests the CEO to bring a report to the March 2nd Council meeting with advice on:
 - 3.4.1 The need to extend the proposed timeframe for the proposed sale process to allow time for extended consultation and exploration of alternative viable options to sale, including advice on the benefits and risks of extending the timeframe of the proposed sale process.
 - 3.4.2 Discussions held to date with the State Government and Federal Government and the likely timeframe for conclusion of these discussions and the forward timeframe for Council consideration of future options.

A vote was taken and the AMENDMENT was CARRIED unanimously.

The AMENDMENT became the SUBSTANTIVE MOTION.

The SUBSTANTIVE MOTION was PUT.

The SUBSTANTIVE MOTION was CARRIED unanimously.

9. INCLUSIVE PORT PHILLIP

Nil.



10. LIVEABLE PORT PHILLIP

Nil.

11. SUSTAINABLE PORT PHILLIP

Nil.

12. VIBRANT PORT PHILLIP

Nil.

13. WELL GOVERNED PORT PHILLIP

13.1 Provision of Banking Services Contract

Purpose

- 1.1 To seek approval to enter into an agreement with the Commonwealth Bank of Australia (CBA) for the provision of banking services contract.

MOVED Crs Pearl/Crawford

That Council:

- 3.1 Awards the contract for the provision of Banking Services to the Commonwealth Bank of Australia (ABN 48 123 123 124) and authorises the Chief Executive Officer or such other person that the Chief Executive Officer selects for the purpose of giving effect to this resolution to:
 - 3.1.1 Execute the agreement with Commonwealth Bank of Australia for the provision of banking services for five years under the State government panel contract.
 - 3.1.2 Authorise all payments under the agreement.
 - 3.1.3 Affix the Common Seal of the Port Phillip City Council to the contract between Council and the Commonwealth Bank of Australia.
 - 3.1.4 Notes the expected savings over the five-year contract estimated at \$1.39 million.
 - 3.1.5 Notes the community will experience lower merchant fee surcharge by approximately 0.11% on average.

A vote was taken and the MOTION was CARRIED unanimously.



13.2 Financial Update: Second Quarter 2021-22 Financial Review

Purpose

- 1.1 To provide Council with an overview of the results of the second quarter 2021/22 performance to budget and seek approval for several unbudgeted items to be funded from the surplus.

PART 1

MOVED Crs Crawford/Baxter

That Council:

- 3.1 Notes that following the second quarter 2021/22 budget review the organisation is projecting a full year cumulative cash surplus of \$2.67 million which is \$0.33 million unfavourable compared to budget of \$3.01 million.
- 3.2 In accordance with Section 97(3) of the Act the Chief Executive Officer supported by the Chief Financial Officer concludes that a revised budget for 2021/22 is not required.
- 3.3 Notes Attachment 1 – Financial Statements with accompanying explanatory notes and Economic and Social Recovery Spend.
- 3.4 Approves up to \$330,000 of additional funding request (see attachment 2 – December 2021 Budget Requests for more details) including:
 - 3.4.1 \$30,000 to bring forward the review of the Play Space Strategy as approved and funded in Council's Public Space Strategy.
 - 3.4.2 \$300,000 for Fishermans Bend Advisory Services

A vote was taken and the MOTION was CARRIED unanimously.

PART 2

MOVED Crs Martin/Cunsolo

That Council:

- 3.5 Approves \$84,000 for 2021/22 and a further \$226,000 in 2022/23 to commence a review of dog restrictions in open spaces including beaches.

The Mayor adjourned the meeting due to Technical difficulties at 8:01pm.

The Meeting resumed at 8:13pm

A vote was taken and the MOTION was CARRIED

Cr Cunsolo called for a division

FOR: Crs Baxter, Crawford, Cunsolo, Copsey, Martin and Pearl

AGAINST: Crs Bond, Sirakoff and Clark

The Motion was CARRIED.



PART 3

MOVED Crs Crawford/Copsey

That Council:

- 3.6 Notes the following three options available to Council with respect to Commercial Tenants and South Melbourne Market Stallholders rent waiver extension:
- a. Option A - current rent relief at a 20% turnover impact threshold be extended to 15 March 2022 (Victorian Government set extension per the Commercial Tenancy Relief Scheme regulation). Funded from within existing allocation with no further impact to Council's full year cumulative cash surplus.
 - b. Option B - extend rent relief at a 30% turnover impact threshold to 30 June 2022 with a net reduction to full year cumulative cash surplus of \$640,000.
 - c. Option C - current rent relief at a 20% turnover impact threshold to 15 March 2022 and 30% turnover impact threshold to 30 June 2022 with a net reduction to full year cumulative cash surplus of \$740,000.
- 3.6.1 Resolves to pursue **Option B** and delegates to the Chief Executive Officer implementation of this option.

A vote was taken and the MOTION was CARRIED.

14. NOTICES OF MOTION

14.1 Notice of Motion – Councillor Andrew Bond – Adventure Playgrounds

MOVED Crs Bond/Cunsolo

That Council:-

1. Reinstates the trampolines recently removed from the St Kilda Adventure Playground and Skinners Adventure Playground

A vote was taken and the MOTION was CARRIED unanimously.

15. REPORTS BY COUNCILLOR DELEGATES

Councillor Bond – congratulated the officers for putting on a great nine days for the St Kilda Festival. We made the decision to run and fund the festival in August last year and there was no guarantees that it would ever take place. As we got closer to the event it looked like we had made the right decision and then in mid-January, COVID started to impact events and it looked like the festival wouldn't take place. A lot of hard work has been undertaken from Council officers including the festivals team who ensured the festival was able to go ahead. There has been some commentary about the crowds, but crowds are down everywhere at the moment but that fact is we were able to put an event on and provide employment to the musicians and work to the events sector over 9 days which is very important as these groups have been absolutely smashed over the past two years. Congratulations to the festivals team and thank you for all of your hard work.

MINUTES - MEETING OF THE PORT PHILLIP CITY COUNCIL - 16 FEBRUARY 2022



Councillor Copsy – As a Councillor delegate to the LGBTIQA+ advisory committee, I am very pleased to report that the Committee had its inaugural meeting on Monday evening via Teams. This incredibly talented group of Port Phillip citizens and representatives of businesses and cultural institutions is going to be helping Council to shape its LGBTIQA+ action plan over the coming months, which is going to be a fantastic asset for us to continue to celebrate our rainbow community and the contribution that they make to our City as well as to strengthen Port Phillip’s long and proud tradition of being an inclusive and welcoming city. Hopefully to extend us to the next phase of what that means in 2022. We’re really pleased, it was a fantastic meeting with the incredible intelligence, experience and passion of those committee members on display and I am very excited about what is to come over the life of that committee.

Councillor Baxter – As Councillor delegate to the Friends of Suai community group I’d just like to remind everybody about the upcoming Friends of Suai Trivia night taking place on 17 March at 7.pm. It’s a wonderful night to raise funds for the Friends of Suai group who do wonderful things for Suai/Covalima. I encourage all of my fellow Councillors to come along and encourage any officers who may be available, it’s going to be a great night.

Councillor Martin attended a function at the Murphy Reserve ground where the Port Melbourne Mariners Baseball Club put on a special luncheon to raise funds for breast cancer awareness. I would just like to thank the Club and those Councillors who joined myself and the Mayor for a wonderful afternoon.

16. URGENT BUSINESS

Nil.

17. CONFIDENTIAL MATTERS

MOVED Crs Cunsolo/Martin

That in accordance with the Local Government Act 2020, the meeting be closed to members of the public in order to deal with the following matters, that are considered to be confidential in accordance with Section 3 of the Act, for the reasons indicated:

| Report No | Report Title | Confidential reasons |
|-----------|------------------------------------|--|
| 17.1 | Substation Proposal | (c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values. |
| 17.2 | Fishermans Bend - Funding Strategy | (g(ii)) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage. |

A vote was taken and the MOTION was CARRIED unanimously.

MINUTES - MEETING OF THE PORT PHILLIP CITY
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As there was no further business the meeting closed at 8.56pm.

Confirmed: 2 March 2022

Chairperson _____